

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	<b>Criminal Case No. 7:97cr00024-3</b>
	)	
<b>v.</b>	)	<b><u>MEMORANDUM OPINION</u></b>
	)	
<b>AMAR KHALID ABED,</b>	)	<b>By: Michael F. Urbanski</b>
<b>Petitioner.</b>	)	<b>United States District Judge</b>

Amar Khalid Abed, a federal inmate proceeding *pro se*, filed this motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Upon review of the record, however, the court finds that the motion must be dismissed as an unauthorized, successive § 2255 motion.

Abed challenges his convictions and 570-month sentence for being a member of a criminal enterprise in violation of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1962(d), (“RICO”), conspiring to violate RICO, and various offenses arising out of his membership in the RICO enterprise, including drug trafficking and using an incendiary destructive device, a “Molotov Cocktail,” during and in relation to a crime of violence (arson). Court records indicate that Abed previously filed multiple § 2255 motions regarding the same convictions and sentence, all of which this court dismissed. See Civil Action No. 7:01cv00355 (claims dismissed as defaulted and unexcused) and Criminal Case No. 7:97cr00024-3, Dkt. Nos. 579, 580, and 581 (dismissed as successive), Dkt. Nos. 599, 601, and 603 (dismissed as successive), Dkt. Nos. 615, 616, 617. This court may consider a second or successive § 2255 motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the motion meet certain criteria. See § 2255(h). As Abed has not

submitted any evidence of having obtained certification from the Court of Appeals to file a second or successive § 2255 motion, the court must dismiss his motion as successive.<sup>1</sup>

Entered: June 3, 2014

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge

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<sup>1</sup> In his instant § 2255 motion, Abed states that he currently has an application for certification to file a second or successive § 2255 motion pending with the United States Court of Appeals for the Fourth Circuit. However, by order entered March 5, 2014, the Fourth Circuit denied Abed's application and review of Fourth Circuit's online record shows that there is no other pending application filed by Abed.

Abed is once again advised of the procedure for obtaining certification from the United States Court of Appeals for the Fourth Circuit to have this court review a successive § 2255 motion. Abed must submit a copy of the successive § 2255 motion to the Court of Appeals, along with a motion requesting a three-judge panel certification that the district court may review the successive § 2255 motion. See 28 U.S.C. § 2244. A Fourth Circuit form and instructions for filing this motion are available from the Fourth Circuit at the following address: Office of the Clerk, United States Court of Appeals for the Fourth Circuit, 900 E. Main St., Richmond, VA 23219.